Revd. Wm Johnson Temple 123

ON THE

ABUSE

OF

UNRESTRAINED POWER.

AN

HISTORICAL ESSAY.

What more ſavage, wild and cruel than man, if he ſee himſelf able, either by fraud to over-reach, or by power to overbear, the laws whereunto he ſhould be ſubject? *Hooker's Eccleſiaſtical Polity*, book v. ſect. 11.

LONDON:

PRINTED FOR E. AND C. DILLY IN THE POULTRY.

MDCCLXXVIII.

1568/1694.

ADVERTISEMENT

TO THE

READER.

THE Author of the following Eſſay has by him ſeveral others upon different ſubjects, which may, perhaps, ſee the light at ſome future time, if this ſpecimen ſhould be thought to merit the indulgence of the Public.

ON THE

ABUSE

OF

UNRESTRAINED POWER.

I.

THE desire of power and consideration is natural to man. It is the motive to his best and to his worst actions. It is pursued by a Dion, by a Timoleon, with a view to diffuse liberty and happiness; by a Dionysius, by an Agathocles, to satiate an unprincipled and destructive ambition. Yet, although this love of power be so general, when it is possessed beyond a certain degree and measure, it is almost constantly fatal to interest, virtue, and felicity. It inflames the most criminal and destructive passions, it corrupts the most humane and gentle natures. What, indeed, so adverse to moderation, to humanity, to equal justice, as the dan-

gerous and ſtimulating conſciouſneſs of being above all account or controul; that when we ſpeak, equity and law muſt mourn in impotence and ſilence, that all who approach us, inſtead of expoſtulating, much leſs of cenſuring or avenging, muſt and will applaud our moſt flagrant and wanton violations of juſtice and humanity. How often is ſuch fatal knowledge, ſuch pernicious licence, the motive and the cauſe of the moſt horrid and incredible exceſſes. It confounds all ideas of right and wrong, it involves the innocent with the guilty, it wreaks its inconſiderate fury on omiſſions and crimes with equal and undiſtinguiſhing ſeverity. All hiſtory is crowded with examples of this melancholy truth. Till corrupted by power, and the licence of authority, who ſo humane and irreproachable in their lives and manners, as they who were afterwards ſo juſtly branded with the infamous title and appellation of the Thirty Tyrants. Dionyſius Halicarnaſſenſis relates the ſame of the Roman Decemvirs †. Before intoxicated and depraved by power, he repreſents Appius, the ſoul of that abominable confederacy, as a man of virtue, a lover of juſtice and of his country, an enemy to odious diſtinctions, and as deſirous of perſuading all his fellow-citizens to conſider the commonwealth as one body, yet into what a monſter of tyranny, luſt, and cruelty, did he not afterwards degenerate? Quintus Fabius *, ſurnamed Vibulanus, and

† Lib. x. 54. * Dionyſius Hal. lib. x. 58.

who

who had been thrice Conſul, was alſo eminently virtuous, till blinded by ambition, and perverted by the ſuggeſtions of Appius, he gave into, and adopted his wicked ſyſtem of conduct *. The young nobility too, notwithſtanding their virtuous education, former moderation, and deſire of public eſteem, were ſeduced into the ſame views by like perſuaſions and arguments, and confirmed in them by the reward of their compliance and ſupport, the confiſcation and ſpoils of the effects, property and eſtates of the unhappy ſufferers, their deluded and oppreſſed fellow-citizens. The progreſs of Tiberius's abominable impurities and crimes; the mild and even ſoft nature of Nero, in the dawn and beginning of his reign, and after improvement in all kinds of vice and wickedneſs, in proportion to the feeble and puſillanimous oppoſition, and even encouragement they met with, we ſtill read with indignation and horror. Though the humane and benevolent ſpirit of reformed Chriſtianity, in union with other cauſes, has reſtrained in a great degree this mad career of vice and cruelty in the modern princes of Europe; yet it ſtill disfigures and pollutes the page of hiſtory with too many inſtances, and in the unenlightened regions of Aſia and the Eaſt, where ſenſuality, tyranny, and cruelty, ſeem to have eſtabliſhed their throne from time immemo-

* Livy's words are, "Hunc enim virum (Fabium) egregium olim domi, militiæque, decemviratus collegæque ita mutaverint ut Appii quam ſui ſimilis eſſe mallet." Livy, lib. iii. cap. 41.

rial, the ſame exceſſes and enormities ſtill prevail, and alarm and terrify every day the effeminate and daſtardly inhabitants, the culpable and unhappy objects of them.

After theſe general obſervations, it may not, perhaps, be unintereſting, or without its uſe, to ſee them ſupported and enforced by a more particular enumeration of facts and examples. Such an hiſtorical ſeries, though it may not place the human character in a very amiable point of view, yet will at leaſt contribute to our more perfect knowledge of it (and what knowledge is of ſuch importance to us?); and may alſo help to preſerve preſent and future princes from imitating ſuch unworthy proceedings, and caution people and nations from intruſting princes and magiſtrates with a degree of authority deſtructive of all the ends of government, and incompatible with either reaſon or humanity.

For obvious reaſons, however, and leſt it ſhould be objected by ignorance and corruption, that ſuch abominable ſcenes are incredible, and can never be again repeated, theſe facts and inſtances ſhall not be taken from the lives of ſuch madmen and monſters as were ſeveral of the petty tyrants of Greece, or more extenſively formidable ones of Aſia or of Rome; but chiefly from princes of mixed characters, and whoſe good qualities and virtues ſeem in a great meaſure to have equalled or overbalanced their vices and crimes. Such a method will convince us, that danger is always to be apprehended, and that a conſtant habit of vigilance is neceſſa-

ry

ry in order to preſerve a free and equal government, and to guard againſt the encroachments and exorbitances (which will always be attempted, unleſs checked and reſtrained by the fear of control and puniſhment) of magiſtrates and miniſters in power and authority. We ſhall begin from a very early period.

When our propenſities are not enured to reſtraint and command, they ſoon become reſtleſs and ungovernable. Every thing combines in a peculiar manner to inflame the deſires and paſſions of princes, of perſons of unlimited power and authority. Cruelty is their darling reſource. It is the general mean by which they gratify and ſatiate their odious and deteſtable paſſions of ambition, malice, fear, revenge.

When Paterbemis, one of the moſt virtuous and conſiderable perſons of Egypt, was ſent by Apries his ſovereign, with orders to bring alive into his preſence Amaſis, who was at the head of a numerous army in rebellion againſt him; and returning without him, as might well be expected, Apries ſaid not a word, but in a tranſport of abſurd diſappointment and rage, commanded his ears and noſe to be cut off *.

Unreſtrained power infatuates and brutifies to ſuch a degree, that when our projects or caprices are concerned, we expect even the feelings of nature to be relinquiſhed, and, but the appearance of backwardneſs in ſuch caſes, drives us to exer-

* Herodotus, lib. ii.

ciſe

ciſe even a wantonneſs of cruelty. Thus when Darius, far from a tyrant, and who had been raiſed to royalty from a private condition, was on his march againſt the Scythians, Oebazus, a reſpectable Perſian, who had three ſons in the army, with the tenderneſs natural and excuſable in a parent, eſpecially conſidering the character of the enemy, and the imprudence of the expedition, came to him, requeſting and intreating that one of the three might be permitted to remain at home with him; the king, in anſwer, with the malicious diſſimulation characteriſtic of majeſty, ſpoke very kindly and graciouſly to him, ſaying, the favour he aſked was trifling, and that, ſo great was his regard for him, he would leave all his ſons with him. The fond parent received the anſwer with infinite gratitude and joy, flattering himſelf that all his ſons would receive their diſmiſſion from the army: but Darius commanded the officers appointed for ſuch purpoſes to put them all to death, and thus left them with their father *.

We read with equal indignation and abhorrence, another inſtance of the ſame nature in Xerxes (in which, however, princely paſſion overcomes princely diſſimulation). It is, when Pytheus, the Lydian, preſuming on the magnificent entertainment he had juſt given to that prince and his immenſe army, and his no leſs ſplendid offer of his great treaſures, towards defraying the expence of the war againſt Greece, came to beg that the eldeſt of his five ſons, all of whom were in the Perſian army,

* Herodotus, lib. iv.

might

might be excuſed following the king into Greece, and, out of pity to his old age, be left at home with his father, to take care of him and of his eſtate; the unfeeling prince, inſtead of gratifying the good and generous old man in ſo pardonable a requeſt, flew into a violent rage, and immediately orders the innocent youth to be put to death, and then, his body being ſevered into two parts, the one lying on the right, the other on the left hand of the way, the whole army to paſs between them *.

Diſappointment in the moſt impracticable and abſurd projects, excites to the ſame wanton and atrocious deeds of blood and murder. After the deſtruction, by a ſtorm, of the ſame prince's extravagant bridge over the Helleſpont, and his ridiculous chaſtiſement of that arm of the ſea, adding inhumanity and cruelty to folly, impiety, and blaſphemy, according to his religion, he ordered the heads of thoſe perſons who had the direction of the workmen to be ſtruck off. Such (adds Herodotus) was all the recompence of their pains and ingenuity in contriving the bridge †.

It would require innumerable volumes to enumerate the black crimes of which princes have been guilty in acquiring, maintaining, and enlarging dominion. Every one remembers the emblematical anſwer given by Periander to the meſſenger of Thraſybulus, who, going with him into a field of wheat, ſtruck off all the largeſt and talleſt ears; intimating, that thus his maſter ſhould

* Herodotus, lib. vii. † Ibid.

treat

treat the moſt opulent and principal citizens of Corinth, in order to reign with the greater ſecurity *. Upon a ſimilar occaſion, Tarquinius gave the ſame princely advice to his ſon Sextus, with regard to the citizens of Gabii †.

Though ſuch inſtances as theſe, how deſerving ſoever of cenſure and abhorrence, do not ſo much ſurpriſe us upon account of their frequency and multiplicity in hiſtory; yet we may be allowed to expreſs our wonder, that princes ſhould often ſuffer themſelves to be tranſported, by the exorbitancy of their deſires and paſſions, to make no diſtinction between the greateſt crimes and the moſt trifling omiſſions; to conſpire againſt virtue and their own ſafety; to confound every idea of innocence and guilt, by expreſſing their diſapprobation and reſentment indiſcriminately, by the heavieſt of human puniſhments, death, deprivation of life, of exiſtence. I am induced to make this obſervation, by a paſſage in the life of the younger Cyrus (a prince, in other reſpects, generous and magnanimous), and which, I think, might have almoſt deterred ſo humane a writer as Xenophon, from immortalizing his daring, though unſucceſsful attempt ‡. It is related in the ſecond book of Xenophon's Greek hiſtory, and regards perſons of no leſs dignity than of the royal family. The hiſtorian's words are: The ſame year, Cyrus put to death Autobæſaces and Mitræus, the ſons of the

* Herodotus, lib. v. † Dionyſius Hal. lib. iv. c. 56.

‡ Indeed, Xenophon's chief view in writing that beautiful narrative, was to do honour to himſelf and the Greeks.

ſiſter of Darius, whoſe father was Xerxes as well as hers. The cauſe of their death was, that happening to meet him, they had not put their hands in the folds or cuffs of their ſleeves; a mark of reſpect paid only to the king *; and theſe folds or cuffs are a little longer than the ſleeve, in which, when one puts one's hands, one can do nothing [A].

It may perhaps be alleged, that theſe inſtances regard princes not ſoftened and enlightened by letters and philoſophy, and more equal and moderate modes of government. But I fear experience will too fully convince us, that the influence of theſe, when not ſupported and ſtrengthened by the apprehenſion of diſagreeable conſequences, is very feeble, ineffectual, and confined: for did not Alexander, accuſtomed to the humanity and moderation of Greece, and nurſed in the very boſom of Ariſtotle; did not, on many other occaſions the generous and ſympathiſing Alexander, ſtab with his own hands, and at his own table, Clitus, one of his friends of neareſt truſt, and who had been all along educated with him in letters and arms? And for what reaſon; of what crime, of what enormity, of what horrible ſpecies of treaſon, had he been guilty? Juſtly partial to the equal cuſtoms of Greece, he had diſcovered (perhaps too openly) his diſlike and diſapprobation of the unmanly and debaſing expreſſions of reſpect peculiar to deſpotic and Aſiatic manners. For as

* Xenophon, vol. iii. p. 65. edit. Wells.

ungenerous

ungenerous and unworthy a reaſon did he not, like a brutal tyrant, expoſe Lyſimachus to the hunger and fury of lions [B]. It is equally or more alarming that Sylla, though educated and living under a republic and highly popular form of government, and alſo inſtructed in all the learning of Greece, ſhould have diſhonoured his character and country by ſo many inſtances of almoſt incredible cruelty and barbarity. Unreſtrained by cenſure or fear, and ſupported by a faction, he ſacrificed to his malice and revenge, not only the feelings of a gentleman, but of a man. Who can read the account of only his barbarities to M. Marius without horror and deteſtation? of Marius, to whom the Roman people had erected ſtatues in every ſtreet; whom they had ſupplicated with incenſe and wine? He ordered his legs to be broken, his eyes to be put out, his hands to be cut off *. Dread of the conſequences being removed, perſons in power are tranſported to take a diabolical ſatisfaction in deeds of the moſt extravagant and wanton cruelty. How many Roman knights and perſons of conſular dignity did not C. Cæſar order, in one and the ſame day, to be torn with ſtripes, and put to death in torture, merely by way of amuſement? Nay, ſuch was his impatience and delight in this horrid entertainment †, that, fancy ſtriking him, and impotent to wait the delay of the morning, he orders ſome of theſe, with ſeveral ladies, to be beheaded by torch or candle

* Seneca de Ira, lib. iii. c. xviii. † Ibid.

light. But let me not have recourſe to examples from which I have in a great manner excluded myſelf.

The beſt motives, if the action be diſagreeable to our caprices or views, is no excuſe or extenuation to unreſtrained power. The involuntary offence is revenged, not only on the immediate inſtrument, but on wives, children, connexions. When, on a well known occaſion, the high prieſt Abimilech had, with the beſt and moſt humane intentions, relieved David, and thoſe who accompanied him, what was the treatment he met with? what his reward from Saul, once a private perſon, but raiſed to a throne by divine preference? The father of his people, the faithful ſhepherd of Iſrael, enjoins his maſſacre, with that of all his race, to the number, God defend us! of three hundred and eighty-five perſons. Nay, not ſatiated with this horrible ſlaughter, he extends it to the whole prieſthood, even the walls they inhabited, their city, wives, children. The reflections of the Jewiſh hiſtorian on this monſtrous enormity, are worthy of obſervation, and highly illuſtrative of the ſubject of this eſſay. His words are, "This deteſtable action of Saul, who, by the moſt horrible of impieties, feared not to ſhed the blood of the whole race of the prieſthood, without ſparing old men or children, and reducing at the ſame time to aſhes a city, which God himſelf had choſen to be the reſidence of his miniſters, and of his prophets, is a glaring inſtance to what lengths the corruption of the human heart may be tranſported.

While prevented by the moderation of their condition from doing all the evil to which they are inclined, they appear mild and humane, pretend a love of juſtice, nay, even to be compaſſionate, and perſuaded that God, who is every where preſent, obſerves all our actions and penetrates all our thoughts. But, as ſoon as raiſed to power and authority, they make it too evident, that theſe were never their real ſentiments, and, like actors who have changed their dreſſes, return on the ſtage to play another part; they become daring and inſolent, contemning God and man*." The reflection is equally juſt and pious; but I cannot help thinking with Plutarch, that this depravity of diſpoſition is not original and artfully concealed, but rather the iſſue and conſequence of unbounded power, which foments all our vices and paſſions, which often gives us thoſe we ſhould have never known, and which cannot be intruſted to any of human kind without ruin and miſery to himſelf and others. This inſtance reminds me of another of as extraordinary a nature, and related by the ſame judicious hiſtorian. It is of Herod, king of the Jews; a prince of great parts and addreſs, intrepid, enterpriſing, generous, magnificent; and who, during his continuance in a private ſtation, and before his elevation to a throne, betrayed no ſymptoms of inhumanity and cruelty; yet, after the change of his condition and poſſeſſion of ſovereign power, the ſervility of his courtiers, and the

* Joſephus, lib. vi. c. xiv.

baſe

baſe and criminal tameneſs of his ſubjects, encouraged him to the perpetration of the moſt diabolical exceſſes of malice, revenge, and barbarity. It is alſo worthy of notice in another light, being peculiarly illuſtrative of the inſenſibility, vanity, diſregard of real and ſottiſh deſire of apparent reſpect in princes and thoſe we indulgently call the Great. I paſs over his cruel murder of his benefactor Ariſtobulus, of his brother Hircanus, of his wife Mariamne, of his own ſons, and of how many more? and confine myſelf to the inſtance alluded to, the dying and concluding act of his exiſtence and abominable life. For, notwithſtanding all the blood he had ſhed during the courſe of a pretty long reign, when on his death-bed, conſcious what pleaſure his deceaſe muſt afford the whole Jewiſh nation, and yet deſirous of teſtimonies of reſpect, however inſincere, and though ſuffering under the moſt excruciating torments both of mind and body, ſtill ſuch was his thirſt for blood, and for being obeyed, though in an indirect manner, that, calling his ſiſter Salome and her huſband Alexis to his bed-ſide, after complaining of his ſufferings, he ſaid, it yet increaſed and aggravated them to think he ſhould be deprived of the funeral honours paid to majeſty by their ſubjects: but, although he was ſenſible the people abhorred him, yet, if a ſiſter and a brother would comply with his dying requeſt, the whole Jewiſh nation, in ſpite of themſelves, ſhould render him the moſt magnificent and moſt pleaſing and flattering funeral honours that ever prince received; for there ſhould

not be one of them who ſhould not ſhed the moſt ſincere tears. For this purpoſe, as ſoon as he ſhould be no more, they were to aſſemble the people, and to ſurround the hypodrome with his guards, and, without ſaying any thing of his death, command them, as if by his order, to ſhoot to death with arrows every perſon in that immenſe building. That executing this order and theſe intentions, he ſhould lie under a double obligation to them; firſt, for having complied with his requeſt; and, ſecondly, for having rendered the mourning upon account of his obſequies more famous than any that ever was before. The tortured and expiring prince added tears and intreaties, conjuring them by the ties of nature and gratitude, and by the affection they had for him, and by every thing that was ſacred and holy, not to ſuffer his memory to be deprived of theſe laſt honours *. Can there be an example more appoſite to our ſubject? When unbounded power can make us ſuch monſters; can teach vengeance, or rather the thirſt of blood, to triumph over pain and agony, and death itſelf; who would deſire it, who would ſuffer it to be uſurped, or continue to live under and endure its exceſſes?

The heart is ſometimes ſo hardened, and grows ſo callous by repeated acts of violence, inhumanity, and cruelty, that the ſhrieks and exclamations of thouſands dying and expiring in agony and torture make no impreſſion, nay, ſeem rather to afford matter for an inſolent ſort of exultation and

* Joſephus, lib. xvii. c. ix. lib. i. c. xxi.

diſdain.

diſdain. Witneſs the following deteſtable paſſage of the life of Sylla, recorded by Seneca. He is reaſoning before of the difference and diſtinction between a king and a tyrant. His words are: "Tyrannus autem a rege diſtat factis non nomine. Nam et Dionyſius Major jure meritoque preferri multis regibus poteſt: & L. Sullam appellari tyrannum quid prohibet, cui occidendi finem fecit inopia hoſtium. Deſcenderet licet dictatura ſua & ſe togæ reddiderit: quis tamen unquam tyrannus tam avide humanum ſanguinem bibit, quam ille, qui ſeptem millia civium Romanorum contrucidari juſſit? Et cum in vicino, ad ædem Bellonæ ſedens, exaudiſſet conclamationem tot millium ſub gladio gementium, exterrito ſenatu: Hoc agamus, inquit, P. C. ſeditioſi pauculi mei juſſu occiduntur. Hoc non eſt mentitus: pauci, Sullæ videbantur *."

Luſt, cruelty, and ambition were the ruling features of M. Anthony's character. When the three legions from Macedonia rejected the offers of this triumvir, ſuſpecting the centurions or officers as the cauſe of their refuſal, he called them together into his lodgings, and then ordered them to be ſtabbed and murdered, to the number of three hundred; himſelf and his wife looking on and enjoying the horrid ſpectacle, and the blood even ſpirting in the face of the latter †.

But this unreſtrained, unapprehenſive power of injuring and oppreſſing, of gratifying and ſatiat-

* Seneca de Clementia, lib. i. c. xii.

† Philip. 3—2. & Philip. 5—8.

ing avarice, ambition, and revenge is as little to be truſted, and full as dangerous, in the hands of nations, communities, and bodies of men, as in thoſe of princes, of ſimple individuals, and even more ſo; for union, and ſtrength, and wiſdom, often raiſe the former much farther out of the reach of control and of puniſhment. Let us endeavour to ſhew this at ſome length.

We may then obſerve, that how mild and equitable ſoever a popular or mixed conſtitution may be at home, it is more harſh, ſevere, and oppreſſive, than even regal and abſolute government in its acquired provinces, whether near or remote [C]. A prince can have no motive or intereſt to treat one part of his dominions and ſubjects with more lenity or ſeverity than another. According to his diſpoſition and manners, they are all of them equally either the objects of his regard and good will, or of his ignorance, avarice, and cruelty. But the members of the various forms of republic are each of them the monarch, not one, but a legion of tyrants: They imbibe his views, vices, and paſſions; and, by oppreſſing their ſubjects, they at the ſame time gratify the luſt of dominion, and, by ſparing their own perſons and purſes, have more ample means of indulging themſelves in the conveniencies, ſuperfluities, and pleaſures of life *. Thus, when the allies of the Athenians,

* Such unjuſt proceedings frequently make the adviſers of them even popular. Thus Sir W. Raleigh obſerves, from good authority, of Hanno, "More particularly he was gracious

Athenians, who were properly their ſubjects, complained of the heavy contributions that were impoſed on them, and thought it but reaſonable that ſome account ſhould be given of the diſburſement, Pericles adviſed his fellow-citizens, or the democracy, to refuſe it, to oppreſſion adding inſult; alleging that, as they paid only money, and were protected and defended, and yet furniſhed neither man, nor veſſel, nor horſe, they had no right to demand ſuch an account. Yet, agreeably to the intention of this eſſay, which is to ſhew that unreſtrained power is equally fatal to thoſe who exerciſe and thoſe who ſuffer under it; theſe levies and taxes, which coſt the allies the want of the common conveniences and neceſſaries of life, were laviſhly ſquandered away at Athens in diſtributions among the citizens, by which they were corrupted and rendered idle, licentious, and ungovernable; in games and feſtivals, and the amuſements of the theatre; in ruinous projects of empire and ambition; or, at beſt, in adorning and beautifying their city, by the aid of the painter, the architect, and the ſtatuary. It is equally matter of aſtoniſhment, compaſſion, and indignation to find to what a degree of exceſs and oppreſſion, from what feeble beginnings, theſe exactions were carried in the end. We are told by Thucydides, that from four hundred and ſixty talents, Pericles increaſed them near

cious among the people, for that he was one of the moſt grievous oppreſſors of their ſubject provinces, whereby he procured to the Carthaginians much wealth, but therewithal ſuch hatred, as turned it all to their great loſs."

a third; for in the beginning of the Peloponneſian war they amounted to ſix hundred, and after his death they were ſwelled to ſuch an exorbitancy by the Demagogues, that they amounted to the enormous ſum of one thouſand three hundred. Though perverted to ſuch unjuſt and wanton purpoſes, yet nothing could exceed their rigour and ſeverity in levying and exacting them. They puniſhed the ſmalleſt deficiency with heavy fines, and when theſe democratical tyrants preferred perſonal ſervice to money, they conſtrained to it even thoſe who were unaccuſtomed or averſe to it; forcing them from their eſtates and families, the towns and fields. Indeed, their hiſtorians and orators unanimouſly impute the loſs of the ſovereignty of Greece, and her colonies, firſt by the Lacedemonians, and then by the Athenians, after the former had maintained it during a period of ſeventy-three years, and the latter of twenty-nine, entirely to their oppreſſions, inhumanity, and cruelty. So great were the exceſſes of the Lacedemonians in theſe reſpects, and in the inſulting exerciſe of their power, that, among their confederates, the beſt and nobleſt houſes and families dared not refuſe even their virgin-daughters to the embraces and luſt of the Spartan generals and governors. Thus was Cleonice of Bizantium abandoned by her forlorn parents to the brutal deſires of Pauſanias, the conqueror of Platea. There is ſomething peculiarly affecting in the fate of this unhappy young perſon. When, in ſubmiſſion to the extorted command of her afflicted prrents, ſhe was

led

led in the night to his bed-chamber, happening to overturn a lamp, it awakened the wretch, who, being in continual alarms upon account of his treaſonable deſigns againſt his country, and imagining them diſcovered, leaped out of bed, flew to his ſword, and ſeizing it, ſtabbed the innocent victim to the heart †. Their inhuman treatment of their helots, or ſlaves, that defenceleſs but laborious and uſeful body of men, is too infamouſly notorious. However, I cannot help giving one inſtance out of many of their proceeding with regard to them. It is a complication of ingratitude, treachery, and inhumanity hardly to be equalled, and related by the unqueſtionable authority of the moſt ſenſible of all hiſtorians. After having conducted, in a ſort of proceſſion, through their temples, three thouſand of theſe unhappy men, crowned with chaplets of flowers, expreſſive of the liberty they ſaid they intended them in reward and acknowledgment of their valour, fidelity, and ſervices in a criſis of the greateſt emergency, when their country was on the very brink of ruin, they are ſuppoſed to have actually led them to ſlaughter, as none of them were ever after ſeen or heard of ‡: Thus at once inſulting and mocking humanity, gratitude, and the gods.

Nothing reflects ſo much honour on the Roman government, as its maxims of moderation and humanity in the early ages of the republic [D]. Indeed, it is univerſally allowed, that theſe generous maxims and proceedings were the cauſe and

† Pauſanias, lib. iii. c. xvii. ‡ Thucydides, lib. iv.

foundation

foundation of all the future greatneſs and glory of that illuſtrious people. Communities and nations incorporated or ſubmitted to their empire, as much from an admiration of their equity and humanity, as from dread of their diſcipline and valour. But after the increaſe of their power and of their wealth, after they looked all around them and ſaw nothing but ſlaves and ſubjects, after none dared to queſtion their authority, or mark the bounds and the limits, they ſoon began to deviate from their former wiſe, noble, and generous line of conduct, and to reſign themſelves to the influence and dominion of all thoſe odious and deſtructive paſſions, which are created, nouriſhed, and inflamed by unreſtrained power. The ſympathy and indignation of their beſt and moſt virtuous citizens are continually breaking out againſt the enormity of theſe abuſes and exceſſes. The writings of Cicero are crowded with them. How often do we meet with ſuch paſſages as the following? "Lugent omnes provinciæ: queruntur omnes liberi populi: regna denique jam omnia de noſtris cupiditatibus & injuriis expoſtulant: locus intra oceanum jam nullus eſt, neque tam longinquus neque tam reconditus, quo non, per hæc tempora, noſtrorum hominum libido, iniquitaſque pervaſerit. Suſtinere jam populus Romanus omnium nationum non vim, non arma, non bellum, ſed luctum, lacrymas, querimonias non poteſt *." And in his oration pro lege Manilia, "Difficile eſt dictu, Quirites, quanto in odio ſumus apud exte-

* In Verrem, lib. iii. c. lxxxix.

ras nationes, propter eorum, quos ad eas per hos annos cum imperio miſimus, injurias ac libidines. Quod enim fanum putatis in illis terris noſtris magiſtratibus religioſum, quam civitatem ſanctam, quam domum ſatis clauſam ac munitam fuiſſe? Urbes jam locuples ac copioſæ requiruntur, quibus cauſa belli propter deripiendi cupiditatem inferatur.—Quæ civitas eſt in Aſia, quæ non modo imperatoris, aut legati, ſed unius tribuni militum animos ac ſpiritus capere poſſit?"

But not only the remote and diſtant provinces were abandoned to the avarice, luſt, and cruelty of proconſuls, legates, &c. the very allies, and Italy herſelf, were ſubjected to the ſame exceſſes and abuſe of unreſtrained power. "Itaque propter hanc avaritiam imperatorum, quantas calamitates, quocunque ventum ſit, noſtri exercitus ferant, quis ignorat? Itinera quæ per hoſce annos in Italia per agros atque oppida civium Romanorum noſtri imperatores fecerunt, recordamini. Tum facilius ſtatuetis, quid apud exteras nationes fieri exiſtimetis. Utrum plures arbitramini per hoſce annos militum veſtrorum armis, hoſtium urbes, an hibernis ſociorum civitates eſſe deletas?"

We meet with many and almoſt incredible inſtances of theſe exceſſes and enormities in other paſſages of the ſame great perſon's orations againſt Verres, as well as in that mentioned above. But they are alſo to be found in a much earlier period of the Roman hiſtory, and before luxury and corruption could have arrived at ſo great a pitch as in Cicero's time. Livy relates ſeveral with his

uſual

uſual pathetic and nervous eloquence. In his 29th book, he deſcribes ten commiſſioners coming from Locris in the habit of ſuppliants, with olive branches in their hands, with plaintive voice, and on their bended knees, intreating and imploring the protection of the conſuls and ſenate againſt the exceſſes and violences of their governor Pleminius and the Roman ſoldiery. They allege and proteſt, ſuch have been their ſufferings under them, as the Romans would not wiſh even to the Carthaginians; that to Pleminius there is nothing human pertaining but his figure and outward form, nor any thing of a Roman citizen, but his habit and dreſs, and the ſound of the Latin tongue. That were he ſatisfied with making them feel the weight of only his own luſt, avarice, and other paſſions, their patience might be equal to it; but that his example and encouragement had rendered all the centurions, and even the common ſoldiers, ſo many Pleminiuſes. That they all of them plunder, ravage, ſcourge, wound, murder, violate matrons, virgins, youths, dragging them from the arms of their parents. That every day their city is taken, every day it is plundered; that day and night the ſhrieks and ſcreams of forced women and boys reſound and echo through the ſtreets; that it were endleſs to enter into particulars; that no family, no individual, has eſcaped their outrages; that there is no poſſible kind of wickedneſs, of luſt, of avarice, that could be endured, that has been omitted: nay, that the ſufferings and calamities of cities taken by ſtorm by incenſed enemies,

enemies, of cities oppreſſed by the moſt cruel and implacable tyrants, have been poured by Pleminius on them, their wives, and their children; the very ſhrines and temples of their gods have been profaned and expoſed to ſacrilege.

To ſuch a wantonneſs of luſt and cruelty were the Roman governors tranſported by their great authority and confidence of impunity, that in order, in ſome degree, to check and reſtrain this torrent of licentiouſneſs and tyranny, the elder Cato found it neceſſary, during his cenſorſhip, to accuſe Lucius Quintius of the following almoſt incredible enormity. He ſaid that, by the hopes of great advantages, he had perſuaded to accompany him to his province of Gaul, one Philip, a Carthaginian, a dear and beloved pathic: that during his wanton teaſing of the boy, the latter uſed often to upbraid the conſul, with having been prevailed upon to leave Rome juſt before a gladiatorial ſhow, and ſolely to gratify his wiſhes. It happened that one day, as they were ſitting at table, and beginning to be heated with their wine, an account was brought, that a principal Boian with his family were come over to the Romans: The conſul deſired to ſee him, in order to enſure him of his protection. When he was introduced, the conſul ſpoke to him by an interpreter. During the conference, Quintius whiſpered his minion, as you left a gladiatorian ſhow, would you like to ſee this Gaul expire? And when he ſignified his aſſent, ſcarcely ſeriouſly, the conſul, at the nod of a pathic, drawing a ſword that hung over him as he

he ſat, firſt ſtruck the Gaul with it on the head as he was ſpeaking, and then as he fled out of the room, imploring the faith of the Roman people and of all who were preſent, ſtabbed him to the heart *.

Another inſtance of a like nature is related by the ſame hiſtorian, and of the ſame unworthy perſon. The execution of criminals is a neceſſary but melancholy act of juſtice, and generally owing to bad and negligent government, intended to reclaim the guilty, to deter and terrify the wavering, to confirm and encourage the virtuous and well-diſpoſed: but in the inſtance alluded to, it is perverted to the gratification of a ſhameleſs and cruel lubricity. This unworthy conſul was deſperately enamoured of a celebrated courtezan of Placentia. Having invited her to a banquet, and among other things boaſting (for what is there that man will not make a ſubject of vanity) of the intenſeneſs of the kind of torture he uſed, and how many convicts he had in chains, that were doomed to execution by the ax; as ſhe ſat by him, ſhe ſaid ſhe had never ſeen a man beheaded, and had a great deſire to ſee ſuch a ſight. Upon which the complaiſant lover orders one of theſe poor wretches to be dragged out, and his head to be immediately ſtruck off. A horrible action, adds Livy, amidſt the feſtivity of the table and the libations to the gods, and health of our friends, to gratify a wanton harlot, reclining on the breaſt of

* Livy, lib xxxix. c. xliii.

a con-

a conſul; and thus to offer an human victim, and to ſtain and deform the banquet with his blood *.

I ſhall give but two other inſtances of this ſcandalous and inhuman abuſe of power. They are curious and intereſting, being related and complained of by that virtuons and illuſtrious citizen Caius Gracchus, and preſerved to us by Aulus Gellius.

When the conſul came lately to Teanus Sidicinus, his wife expreſſed a deſire to uſe the men's bath. The quæſtor, or mayor of the town, had it therefore given him in charge, that all who were bathing there ſhould be immediately driven out. The lady complains to her lord, that the bath was not given up to her ſoon enough, and likewiſe very far from clean. Upon this, a pole is erected in the forum, and inſtantly hurried to it M. Marcus, the principal perſon of the province; his cloaths are ſtripped from his back, and he is beaten with rods: When the Caleni heard of this, they made an order prohibiting any one to uſe the baths while a Roman magiſtrate was in the town. When, for the ſame reaſon, our prætor ordered the quæſtors of Terentinum to be apprehended, one of them threw himſelf from the walls, the other was taken and beaten with rods. This is ſufficiently ſhocking; the other is ſtill more ſo. That friend to juſtice and humanity proceeds: To give you ſome idea of the arrogance and cruel

* Livy, lib. xxxiv. c. xliii.

See alſo the complaints of the commiſſioners from Spain, of the pride and avarice of the Roman governors. Livy, lib. xliii. c. ii.

tyranny

tyranny of our young men, I will allege but one inſtance. A few years ago, a young man was ſent as a legate from Aſia. He travelled in a ſedan, or litter. An herdſman belonging to Venuſinum happening to meet him, and being ignorant who was carried in the litter, aſked, with a laughing ſneer, whether they were carrying a corpſe. As ſoon as the young gentleman heard him, he orders the ſedan to be ſet down, and the poor man to be beaten to ſuch a degree with the ſtraps or belts of the chairmen, that he expired under the blows *.

With regard to communities, aſſociates, or a certain number of perſons intruſted with power, it is obſervable, as was noticed briefly before, that their abuſe of it is equally atrocious and enormous. The ſpirit of violence, inhumanity, and cruelty, ſeems to ſpread and ferment among them like a contagion, a plague, or a burning fever, and in the end to tranſport them to the moſt horrid and brutal exceſſes. Good God! what is it that infatuates mankind to ſuch a degree, as to make them forget their humanity, their being of the ſame ſpecies, and degrade themſelves, by their diabolical treatment of one another, below the level of beaſts of prey and of carnage: Is it with ſuch views they deſire power and authority? or are they below the wiſh of any good man, unleſs upon account of the exerciſe they afford our beſt talents and affections,

* Aulus Gellius, lib. x. c. iii.

and

and the opportunity they give us of promoting the enjoyment and happineſs of numbers? Yet, who can read the narrative of the uſurpation, the exceſſes and enormities of the thirty at Athens, or of the decemvirs at Rome, without amazement, pity, indignation, and even contempt and abhorrence of our ſpecies?

The ſubverſion of the popular government of Athens, and the ruin of that ſtate, were owing to the corruption of thoſe who aſpired to the conduct of affairs, and to the arbitrary policy of Sparta. For Thucydides obſerves very juſtly *, that the misfortunes of that commonwealth did not ſo much proceed from their defeats at Amphipolis and Mantinea, the defection of their allies, or their great overthrow in Sicily, as to their own internal diſſentions, and the ambition of their demagogues, who ſeduced the people into the moſt fatal meaſures, in order to raiſe themſelves to the management of the public buſineſs; and as a proof of their reſources and internal vigour, he ſays they were ſtill able to ſubſiſt, and afterward recover in a great meaſure their ancient reputation; notwithſtanding the change of their government by Lyſander, the union of Sicily with their enemies, and the King of Perſia's defraying the fleet of their conquerors. As to the eſtabliſhment of the thirty, it was agreeable to the narrow policy of Lacedemon (and as Machiavel obſerves, the cauſe of their confined empire), always

* Lib. ii.

to deſtroy the ancient conſtitution, and eſtabliſh their own form of government in the counties and cities they ſubdued; that is, an ariſtocratical or oligarchical form, if they did not find it there. The adminiſtration of theſe men had at firſt the appearance of even juſtice and humanity, for the beginning of their acts, was to put to death all ſuch as during the popular ſtate had procured a livelihood by calumnies and falſe accuſations. However, it was a bad and pernicious precedent, for as it was without trial, they afterwards proceeded in the ſame illegal manner, againſt all thoſe they ſuſpected of diſapproving their views and conduct, though the beſt and moſt virtuous citizens. Thus, under the ſanction of this example, they put to death Leon of Salamis, a perſon of eminent virtue and merit, and againſt whom they had nothing to allege; and Niceratus the ſon of Nicias, no favourer of the people, no more than his father, and Antiphon, who during the war had furniſhed two veſſels at his own expence. All theſe illuſtrious perſons were murdered by theſe unworthy magiſtrates, upon account of their virtue and of their riches. They ſacrifice many others to the gratification of private malice, and the convenient ſituation of their eſtates and property. Though men be ever ſo abandoned, they generally pay ſome regard to appearances, and even during the perpetration of the worſt crimes, pretend reaſons of ſtate and neceſſity; yet the language of theſe villains was as barefaced as their crimes and actions; for ſo utterly were they loſt

to

to all feeling and goodneſs, that in order to pay their guard, the inſtrument of their crimes, each of them propoſes to murder a ſtranger citizen, and ſeize his effects without regard to his heirs, his wife and children. One of the moſt intereſting and affecting ſcenes of the Grecian hiſtory, is the account given us by Xenophon of their conduct reſpecting Theramenes *, a perſon of the greateſt integrity, honour, humanity, valour, and patriotiſm that we read of in ſtory. Though himſelf one of their number, neither the opportunity of partaking in the advantages and emoluments of the abuſe of their power, nor the ſevereſt threats of vengeance, could ſeduce and corrupt this illuſtrious character, to concur in the views of his colleagues, nay, not to oppoſe them. To be thus betrayed by themſelves as it were, exaſperated them all to the higheſt degree, but more eſpecially Critias, the chief adviſer and promoter of their violent and odious meaſures. In order, therefore, to remove this formidable obſtacle to their exceſſes and cruelties, after a violent invective againſt Theramenes, he ſaid, the Thirty could indeed proceed againſt none of the three thouſand (ſuppoſed to partake in the adminiſtration) without the concurrence of the ſenate; but as to all the reſt of the citizens, the law had left them at the abſolute diſpoſal of himſelf, and of his col-

* Lyſias gives a different account of this excellent perſon, but it is a pleading, to ſerve a particular purpoſe, and his authority is by no means equal to Xenophon's. *Contra Eratoſthenem*, and in that *contra Agoratum*.

leagues in power: he added, he therefore ſtruck Theramenes's name out of the liſt of the three thouſand, and ordered him to be led to death and execution; and in order effectually to prevent the interpoſition of the ſenate, he commanded his guard to appear on the flight of ſteps that led to the houſe. All preſent were filled with grief and indignation, and though the injured Theramenes very juſtly obſerved, that if ſuch a violation of the conſtitution were allowed, no body could be ſafe, for any one of the three thouſand, however innocent or illuſtrious, might, by ſuch an invaſion, be unjuſtly and tyrannically treated; yet neither the grief and indignation of all but the tyrants, nor his own innocence and merit, nor the ſanctuary of the altar, could protect him againſt the malice and cruelty of the implacable enemies of all honour and virtue. With regard to thoſe who were not of the three thouſand, they were forbid to enter the city, and the moſt opulent of them were dragged from their houſes and eſtates, in order that their adherents might divide among them their ſpoils. In fine, to conclude this ſhocking and alarming recital (for as was obſerved above, many of them before raiſed to power were eminent for moderation and virtue), theſe villains and traitors to their country, in the ſhort ſpace of eight months, deſtroyed and butchered a greater number of their fellow-citizens *, of Athenians, than

* Æſchines againſt Cteſiphon ſays, the thirty tyrants put to death fifteen hundred citizens even without a trial: and in another

than had fallen in battle under the united arms of all the nations of Peloponneſus, during eight years of a violent and bloody war *.

As to the counter-parts, the decemvirs of Rome, they were intruſted with power in a conſtitutional way by their fellow-citizens, in order to collect for their approbation a body of laws, to be a fixed and known rule of proceeding and government to their future magiſtrates, inſtead of the uncertain, confined, and imperfect ſuggeſtions and opinions of diſcretionary judges. The conduct of theſe men affords as appoſite and ample proof as has yet been given of the nature and influence of power on the human mind. Nothing could be more modeſt, mild, and equitable, than the beginning of their adminiſtration. They induſtriouſly avoided every oſtentatious mark of their power. The officiating conſul, for they took it alternately, was preceded in public by the rods, and the other enſigns of the conſular dignity. His aſſociates differed little in their appearance from the other citizens. They attended diligently to the cognizance and determination of all kinds of cauſes and ſuits. They even cheerfully admitted of appeals from one another, and had the moderation both to give and to ſubmit to a reverſe of judgment. Such was their care and kind ſolicitude for the eaſe and intereſts of the

another paſſage, without informing them of their crimes, without permitting their parents and relations to attend their obſequies, or pay them the decent rites of ſepulture.

* Xenophon, lib. ii. and Lyſias contra Eratoſthenem.

plebeians, or common or inferior people, particularly Appius's, oppoſing and diſcouraging every kind of violence, or unequal treatment, that was offered them, that it was ſaid publicly in converſation, in the forum, and in other places of public reſort, that the commonwealth no longer ſtood in need of tribunes or any of the other magiſtrates (for all theſe had been ſuppreſſed upon the creation of the Decemvirs). But, alas! this noble and generous diſcharge of their duty was of ſhort duration. For when the people (who never deſire any thing but ſecurity and equity) grateful for their virtuous adminiſtration, agreed to continue them in office another year, they began to entertain hopes to render their power perpetual, and ſoon gave too evident marks of their iniquitous intentions. Their preſent was directly the reverſe of their former conduct. What they had obtained by moderation and equity, they endeavoured to perpetuate by violence and terror. Inſtead of one conſul with the enſigns of his office, all the ten appeared in the forum, crowded with their one hundred and twenty lictors, bearing before them in their hands, not only the rods, but armed alſo with the axes bound up with them, and the uſe of which had been diſcontinued out of reverence to the people, ever ſince the time of Publius Valerius. Their whole proceedings were conformable to this beginning. Both equity, and the appearances of it, were no longer regarded. No more appeals, or if they were hazarded, the imprudent ſufferers had the aggra-

aggravated mortification of repenting of not having been ſatisfied with the firſt determination. Nay, when Appius, by his artifices, was choſen a ſecond time, and by his inſinuations and calumnies, ſuch as he thought he could depend on (for many of the principal ſenators, in order to exclude the unworthy, had condeſcended to ſolicit), the firſt thing they did was to enter into an agreement, confirmed by their oaths (ſo great is the inconſiſtencies of mankind, to call the gods to witneſs an act of impiety and injuſtice), not to oppoſe one another in any thing, and that whatever ſhould be propoſed by any one of them, the others ſhould ſupport it; that they ſhould hold their magiſtracy during their lives, and admit no other perſon into the adminiſtration; that both ſenate and people ſhould be reſorted to as little as poſſible, and all affairs of any moment or conſequence tranſacted by their own ſole authority. In order to effectuate theſe views, they endeavour to gain partizans and adherents by the hopes of licence and of rapine. And it is a matter of aſtoniſhment, as Dionyſius * very well obſerves, and as was noticed above, that they found them not only among the luxurious and diſſipated youth, and thoſe of deſperate fortunes; but alſo among the principal ſenators themſelves, whoſe birth and education ought to have taught them to entertain ſentiments of ſome elevation; but of this, Livy gives the true reaſon, when he ſays †, "Licentiam ſuam malle quam omnium libertatem." They

* Lib. xi. † Lib. iii.

preferred a licence to gratify all their worſt deſires, to the enjoyment and liberty of the whole people. Encouraged and inſtigated by this ſupport, and the hopes of impunity, the decemvirs pretend to be not only legiſlators, but judges and interpreters of all laws. The tribunals are filled with their creatures. They put many of the citizens to death, and deprive many others of their fortunes, contrary to all the principles of law and of juſtice. They even dare to connect their ſecond magiſtracy with their former one, in contempt and defiance both of the ſenate and of the people. To give ſtability and terror to their power, and force oppoſition into compliance by falſe accuſation, they baniſh or put to death all the worthieſt and moſt virtuous perſons, who appeared to be diſſatisfied with their proceedings. Their effects and eſtates were the reward and incentive of their adherents. Indeed, they countenanced and authoriſed theſe abandoned wretches to plunder and pillage the fortunes of all who oppoſed their adminiſtration. Nay, they permitted them, as if the city of Rome had been taken by force of arms, not only to ſtrip the legal poſſeſſors of their effects and properties, but even to raviſh their wives when inflamed by their beauty, to abuſe ſuch of their daughters as were marriageable, and when their affected and indignant parents, brothers, or other near relations, reſented their brutality, they beat and inſulted them as the baſeſt and vileſt of ſlaves. Thus, as we have all along endeavoured to prove, their crimes and enormi-

ties

ties increaſed with the continuance of their power, and the hopes of impunity, till at laſt they reached their full meaſure, in the ſcandalous aſſaſſination of the brave Siccius, the intended rape and violation of Virginia, the blood of the innocent daughter, through cruel neceſſity, ſhed by the hand of the parent, and which in the iſſue was the immediate cauſe of the ſubverſion of the tyranny. For, it is alſo equally true, that ruin and miſery is the general concluſion of the abuſe of power; and that nations always at laſt avenge their own cauſe, and that of human nature, and diſcover, but often when it is too late, that they have intruſted to one or ſeveral, a degree of power incompatible with feeling, ſentiment or principle, and that after all their ſufferings and oppreſſions, under the utmoſt abuſe and perverſion of it, their only conſolation is the death of the tyrant, be he one or many, ſunk below the level of the moſt infamous of criminals and wretches, by his impurities, enormities, and crimes. So that in all theſe caſes, nations have only themſelves to blame, being in reality the cauſe of their own calamities, by intruſting unlimited power, or by allowing it to be uſurped by one or a few, rather than by dividing among themſelves in juſt and moderate proportion. Conſidering the ignorance, want of diſcernment, vices, and other neceſſary defects of princes, ſuch conduct in the one caſe is folly and weakneſs; in the other, conſidering the wiſdom, the integrity, the humanity of mixed and reſtrained forms of government, where

where men are advanced, and ſucceed according to the degree of their talents and merit, to limited power, both as to duration and extent, it is certainly the higheſt degree of weakneſs, puſillanimity, and want of becoming dignity of mind, and of ſentiment.

II.

AS human nature is the ſame in all ages, and as in ſimilar circumſtances mankind are under the influence of like paſſions and deſires, it may be expected that after this deduction of facts, illuſtrative of the ſubject of this Eſſay from antient ſtory, I ſhould alſo inforce it by a like ſeries collected from more modern annals. The expectation is natural, and though modern hiſtorians are more ſolicitous to direct the attention of the reader to genealogies, and treaties and battles, and the other glaring facts of hiſtory, than to circumſtances and events, illuſtrative of the mind, manners and characters of princes and magiſtrates entruſted with power and authority; and though my mind has often experienced both humility and indignation, during a recital ſo diſhonourable to our ſpecies, yet the ſincerity and uprightneſs of my intention muſt be my apology, for taking a ſhort and rapid view of modern ſtory in reference to my ſubject. For my ſincere, and only view, in drawing up this treatiſe, is to prove by facts and experience, not by ſophiſtry and deluſion, that virtue and unreſtrained power are incom-

incompatible; that though conſtantly deſired, yet it is as conſtantly abuſed; that its progreſs, and that of the vices, the exceſſes, the madneſs and rage of its poſſeſſor, and the debaſement, the ſufferings, the miſeries, of thoſe who feel the effects of it, are always in the ſame meaſure and proportion. And would to God, that wherever theſe papers are read, they may contribute to excite principles of moderation and humanity; make princes and magiſtrates, inſtead of dreading the moſt wholeſome reſtraints on their authority, rather wiſh to ſee it circumſcribed, by the neceſſary checks and limitations of law and juſtice; and rouſe the attention of ſtates and communities, diligently to watch and guard againſt the encroachments of their deluded ſovereigns, or to recover thoſe unalienable rights and claims, which neither precedent nor time can ever annihilate or impair. For ſo great is their importance, ſo much does ſecurity, enjoyment, and even virtue, depend on their preſervation, that to aſſert them, even through all the horrors and calamities of a civil war, would not be maintaining or acquiring them at too high a price. Such ſcenes are, indeed, alarming, and ſo are ſtorms and tempeſts, which yet contribute to correct and purify the elements, and are ſucceeded by health, ſerenity, and the ſun's benign and unclouded luſtre. In the ſame manner, revolutions in government, though they appear formidable at a diſtance, and during their ferment and operation, yet when they have ſpent themſelves and begin to ſubſide, are ſucceeded by union,

union, concord, harmony, and peace. Beſides, to make uſe of another alluſion, though perpetual health be preferable to either a fever or a conſumption, yet as few eſcape thoſe diſeaſes or others that reſemble them, there is no one that would not prefer the temporary fury of the one, to the perpetual languor and debility of the other: for the one is an emblem of the ſtruggles and convulſions that muſt be undergone in the recovery of liberty and a conſtitution; the other of the eternal oppreſſion, ſickneſs, weakneſs, and miſery, to which nations and communities are doomed under unreſtrained regal and tyrannical power. But to return from this digreſſion.

After the ſubverſion of the Roman empire, the fall of that of the Goths, and of the Lombards, the decline of that of Charlemagne, and of the Othos, the deſolating factions of the Guelphs and Ghibilines; andafter many paroxyſms of deſolation and anarchy, during a revolution of ſo many ages, the beautiful, but faded and exhauſted country of Italy began in ſome degree to ſubſide into order and tranquillity, and to form itſelf into various independent communities and ſtates. The rival pretenſions and internal convulſions of theſe ſtates and communities owing to various cauſes, the factions of citizens, their intereſt in affairs; the contagion of paſſions, always ardent and impetuous in ſmall and popular communities, produced infinite changes and viciſſitudes. The animoſities of party, the arts of popularity, often exalted a ſimple citizen into an abſolute

abſolute prince. Frequent and mutual injuries inflamed all the paſſions into a degree of fever and rage. Power, whether popular or regal, could be maintained only by violence and blood. Hence all the feelings of nature, pity, remorſe, good-will, were blunted and in a manner eradicated out of the human breaſt. Princes purſued not only power, but amuſement, through violence, blood and the wantonneſs of cruelty. Among ſeveral other ſtates, Milan ſupplies us with too many examples of this obſervation. That fine country, like her neighbours, had experienced a variety of revolutions: ſometimes a popular, ſometimes a tyrannic influence prevailed. Several tyrants paſſed in ſucceſſion to expulſion or to death. At laſt the houſe of Viſconti had rendered their power there hereditary. There were four brothers of them, who reigned over different diſtricts. As uſually happens, the eſtabliſhment of their power and influence ſeduced them to the perverſion and abuſe of them. Bernardo Viſconti, aſſociated prince of that dutchy with his other brothers about the year 1374, and ſole ſovereign of ſeveral other ſtates and principalities of Italy, was ſo far loſt to all ſenſe of juſtice, or common humanity, that he puniſhed by death, and confiſcation of effects, whoever of his ſubjects ſhould kill a boar, or other wild and ſavage animal; nay, thoſe who had treſpaſſed in this way, or even taſted the fleſh of ſuch animals, within four years before the publication of this barbarous law, were ſubjected to the ſame penalty. In order to in-

dulge himſelf in the pleaſures of the chace, he had collected upwards of five thouſand dogs, which he obliged the farmers and huſbandmen to maintain at their own charge and expence. Every month they were to bring them to undergo a ſort of review or examination. If found lean and poor, or unluckily dead, their keepers were puniſhed with confiſcation of effects, or other grievous penalty. The huntſmen of this unworthy prince were more dreaded than the magiſtrates of juſtice. With regard to his adminiſtration in the more important affairs of his government, though his ſubjects were abſolutely exhauſted and ruined by war, peſtilence, and famine, all occaſioned by his tyranny and ambition, yet without the leaſt regard to their ſufferings and neceſſities, he ſtill continued to oppreſs and drain them by heavy taxes and impoſitions, in order to raiſe money to carry on new and endleſs wars *. When two friars, out of a ſenſe of duty, and humanity, and charity, ventured to mention to him the fatal conſequences of ſuch meaſures, exaſperated inſtead of ſoftened by their intreaties and prayers, he ordered them to be immediately burnt alive. The ſame hiſtorian (on the authority of Corio) repreſents Giovanni Maria Viſconti †, another prince of the ſame houſe, and who lived in the beginning of the fifteenth century, as tranſplanted into ſuch a demon of cruelty, by his unreſtrained

* Muratori Annali d' Italia, vol. xii. p. 257. Edit. Milan.

† Muratori, anno 1412. vol. xiii. p. 12.

power,

power, and the baſe ſubmiſſion of his ſubjects, that he had dogs of chace trained to tear in pieces all whom he diſliked, or who had incurred his diſpleaſure; nay, that often for his amuſement, he let them looſe, and hounded them on ſuch as had nowiſe offended him. The accurate * Corio gives ſeveral inſtances that make our blood run cold with horror.

Theſe unworthy princes profeſſed the Chriſtian religion, but they profeſſed it as taught and corrupted by the court of Rome. Notwithſtanding their abominable lives, they founded monaſteries, and attended the moſt ſolemn offices of devotion; but Chriſtianity had little influence on the manners of men, to excite them to the practice of juſtice, humanity, and temperance, till the revival of its true ſpirit and principles by the authors of the Reformation.

But not to tire and ſhock the reader with innumerable inſtances that might be alleged, and ſtill confining myſelf principally to princes of mixed and, in ſome reſpects, even amiable characters; even the ſo much boaſted Leo X, the polite, the magnificent, the friend and patron of letters, and of learned men, and whom ſo great a part of Europe think proper to call the ſucceſſor and viſible repreſentative of our Saviour and his apoſtles, infallible, above all oaths and engagements, even a prince of ſuch a deſcription, could ſacrifice to his reſentment and paſſions the lives of reverend

* Corio, p. 303. Part. quart.

cardinals,

cardinals, from whom he had received long and eſſential ſervices.

This pontiff owed in a great meaſure to the Cardinal de Siena, and his father Pandolfo Petrucci, both his own reſtoration, and that of his brothers, to their influence and authority in Florence. He was alſo greatly indebted to the intereſt of the ſame cardinal in the conclave, for his elevation to the pontificate; yet, inſtead of a ſuitable return, and ſuch as a virtuous and grateful mind would have been impatient to make, for ſo ſignal proofs of attachment, affection, and eſteem, he perſecuted both himſelf and his houſe, as if they had been always his greateſt and moſt inveterate enemies, driving both him and his brother from their city of Sienna. The cardinal being thus deprived of his patrimonial fortunes, was unable to ſupport the dignity of his rank and quality, and naturally exaſperated at ſuch complicated ingratitude, in a perſon from whom he had a right to expect a very oppoſite behaviour; diſtreſs and deſpair inflame him with hopes of ſatisfaction, and of vengeance. He enters into deſigns againſt the life of the Pope. They are diſcovered. His Holineſs is alarmed, and at laſt prevails upon him to come to Rome, truſting in the Pope's promiſes, proteſtations, and a ſafe conduct given, and confirmed by word of mouth to the ambaſſadors of the king of Spain; but no ſooner was the deluded cardinal in his power, than promiſes, proteſtations, and ſafe conduct were forgotten; the expoſtulations and remonſtrances

ſtrances of the ambaſſadors, alleging the reſpect due to their maſter, to whom the aſſurances were properly given, are diſregarded; he is thrown into priſon, and then ſtrangled *, his holineſs aſſuming that, where the life of a pope is concerned, and poiſon intended, no ſafe-conduct, how particular and explicit ſoever, is of any moment or avail. With the ſame baſe deceit, perfidiouſneſs, and ingratitude, he inveigles ſome time after into his caſtle of St. Angelo, Giampaolo Baglione, whom, after ſubjecting during two whole months to all the inconveniencies and horrors of a priſon, he at length relieves by ordering him to be beheaded †. Such are the crimes, to which are encouraged, even in many reſpects, deſerving characters, when ſuffered to violate juſtice and equity without fear of the conſequences.

We meet with ſimilar exceſſes in all countries where caprice and paſſion, not law and juſtice, are the meaſures of command and obedience. Our neighbours of France are ſo inſenſible to the natural and unalienable rights of every people and nation, and to the memory of their former legal and limited government, that even their principal nobility, and princes of the blood, have the baſeneſs and meanſpiritedneſs to ſuffer themſelves to be carried and thrown into priſon, in conſequence of an order from a miniſter, often a foreigner or unworthy upſtart, and their inferior in every right and pretenſion to confidence,

* Guicciardini, lib. xiii. p. 144. † Ibid. lib. xiii. p. 170.

power, and the adminiſtration of affairs. Yet theſe great perſons, ſo vain of their titles, the names of their houſes, the emblems of their honours, and accuſtomed from their infancy to every refinement and delicacy of accommodation, can tamely ſubmit to be buried months and years in loathſome or uncomfortable priſons, to the infinite detriment of their healths and fortunes, and to be excluded from all intercourſe with their families, friends, and from every opportunity and means of exculpation and defence. Perhaps, indeed, when the malice of the miniſter, minion, or court, is in ſome degree ſatiated with their lonely ſuffering and miſeries, they at laſt obtain the favour of being ſentenced by commiſſioners, to be broken on the wheel. This free career to malice and vengeance, in which one knows not whether the ſervility and tameneſs of the ſuffering nation, or the inſolence and brutality of their tyrants, is moſt culpable, has encouraged and inſtigated the ſovereigns and miniſters of that ingenious and warlike nation, to the perpetration of the moſt horrid and ſhocking inſtances of cruelty and barbarity. It may be worth our pains to deſcend to a few inſtances. Lewis X. (who reigned in the beginning of the fourteenth century), agreeably to the uſual noble and generous policy of abſolute princes, oppreſſed the French nation under the pretence of neceſſary wars, expoſed to ſale all offices of judicature, exhauſted and pillaged his defenceleſs clergy, forced the ſlaves or villains, how contrary ſoever to their inclination, to purchaſe

chaſe what was called their liberty, by the ſale of their moveables, their very beds, table and chairs (for this was a ſpecies of property they were capable of acquiring). Among various other proofs of his arbitrary and cruel diſpoſition, his proceedings with regard to Raoul de Preſle, the moſt eminent advocate of his times, particularly excite both our compaſſion and indignation. The motive for ſo ſcandalous a violation of juſtice and humanity, was to prevent this diſtinguiſhed lawyer from aſſiſting with his talents and eloquence, his friend, the well known Enguerrand de Marigny, whom the king's uncle, Charles of Valois, and the court were reſolved to deſtroy. Before we give an account of the iſſue of this bloody affair, it may be neceſſary to ſay a few words of this remarkable perſon and unfortunate miniſter. He was deſcended of an ancient family in Normandy. His fine perſon, his wit and addreſs, recommended him to the favour of Philip the Fair. The more he was employed, the greater proofs he gave of his penetration and capacity for affairs. Hence he was diſtinguiſhed with offices and honours, conſidered as the king's principal miniſter, and the ſource of all the public meaſures. His perſecution alluded to in the ſucceeding reign, was owing to malice and avarice. He had offended Charles de Valois the king's uncle, by eſpouſing the intereſts of a perſon he diſliked, in a ſuit at law (about ſo trifling a matter as a mill), in preference to one he affected. Money was alſo wanting to defray the expence of the

coronation. Marigny was not popular, and was reckoned immenſely rich. Affection, and a perſuaſion of his innocence, induced the celebrated Raoul de Prêles to undertake his defence. Fearful of his eſcape, and in order to deprive him of the ſupport of ſo able an advocate, the court adds a greater crime to their intended one. They have the audacity to accuſe the great orator himſelf of being concerned in the death of the late king; he is apprehended and hurried to priſon, and ſuch was the diabolical impetuoſity of the unworthy prince and his miniſter, that by the moſt monſtrous of all proceedings, without waiting till ſentence was formally pronounced againſt him, they begin by confiſcating all his fortunes, which were not even reſtored to him after his innocence was acknowledged, and he was ſet at his liberty. Louis had beſtowed them on one of his favourites Pierre Machaut, who, even after the acquittal of Raoul, had ſuch an influence over his maſter, as to oblige and force the much injured perſon himſelf *, and even his wife and children, to make an abſolute conveyance of them, confirmed by an oath, never hereafter to reclaim them. As ſometimes is the caſe with princes, on his death-bed, Louis alarmed by the ſtings and upbraidings of conſcience, lamented the injuſtice of his proceedings, and ordered reſtitution to be made. As to Marigny, he was condemned to the ignominy of the gallows.

* Boulainvilliers, vol. iii. p. 369. and Villaret, tom. viii. p. 16.

The

The arbitrary nature of King John of France, the tumults and calamities of his reign, the battle of Poictiers, his long captivity, and the gallant generoſity of the Prince of Wales, are known to all the world. This prince ſuſpected ſeveral of the nobleſſe of being concerned with the King of Navarre, in the aſſaſſination of his favourite Charles of Spain. At his ſuggeſtion, his ſon, the Dauphin, invites them to a banquet in his domains. They had juſt ſat down to table, when the king, who had ſet out the night before, and been received into the caſtle by a private poſtern, enters the hall with a hundred men in complete armour. All preſent immediately riſe from their ſeats and offer him the cup of feſtivity, but the king, darting a terrible look at them, cries with a ſtern voice, Let no one ſtir under pain of death. There is nothing but confuſion and uproar. Some effect their eſcape over the walls, but the King of Navarre, and moſt of the nobility accompanying him (for that prince alſo was of the party), are inſtantly loaded with chains, and hurried to different chambers of the caſtle. After a proceeding ſo indecent and unbecoming of majeſty, the king could ſit down to table. As ſoon as he had dined, he orders into two carts or waggons, the Comte de Harcourt, the Seigneurs de Graville and Olivier Doublet. Then accompanied by the Dauphin his ſon, and his band of armed men, he mounts on horſeback, himſelf conducting the priſoners. Villani relates, that as theſe unfortunate perſons were paſſing through the market-

place of Rouen, the inhabitants aſtoniſhed at ſo unexpected a ſpectacle, would certainly have reſcued them; but the king taking off his helmet, made himſelf known, and no one had the courage to move. At the ſame time, he had the meanneſs to take out of his pocket a paper or parchment, to which ſeveral ſeals were affixed, proteſting it was a treaty entered into by the priſoners with the King of England. The ſame author adds, that the Comte de Harcourt, and the three other gentlemen, denied to their death having any knowledge of that treaty. Notwithſtanding, they were led out of the city to a field, called the field of Pardon, where they were beheaded, even in the preſence of the king and of the dauphin. Thus was law and the very forms of it inſulted, thus was majeſty degraded into the office of a conſtable, of an executioner, of a tyrant, apprehending and dragging to puniſhment with his own hands the innocent, and ſatiating his eyes with their blood. As is remarked by the late hiſtorian of France, Nothing was wanting to finiſh the piece, but his polluting his ſacred hands by the moſt horrible of functions. Their bodies were hung in chains to the gallows of Rouen*, their heads were placed beſide them on pikes or lances fixed for the purpoſe. This violent and bloody action, in contempt of all forms and notions of juſtice, was one of the principal cauſes of the confuſions and calamities of this reign. The king

* Villaret, vol. ix. p. 151, &c.

had

had his reaſons for proceeding in a different manner with regard to the King of Navarre.

It is ſurpriſing, that the diſpoſition to haraſs, oppreſs, and diffuſe ruin and miſery ſhould be ſo general in human nature. It is aſtoniſhing that a rational being, an individual, ſhould wiſh to purchaſe enjoyment at the price of the ſufferings of numbers. Yet we can diſcover this propenſity, in a greater or leſs degree, in every rank of life. The effects of it are more frequent in the higher ranks, becauſe the opportunities are ſo. To thoſe who are acquainted with the nature of the feudal government, it will excite little wonder, to meet with them in the conduct and proceedings of the baronial juriſdictions; yet the exactions and extortions of thoſe times can hardly be believed in our days. Their effects were ſeverely felt during the minority of Charles the VI. and even after he took the adminiſtration into his own hands. His uncles the Dukes of Anjou, Bourgone and Berry, had obtained different governments, with almoſt unlimited powers. As they were all of them ſenſual, prodigal, arrogant men, ſelf-intereſted, without regard to the welfare of their country; inſtead of guardians and promoters of the public ſecurity and happineſs, they were enemies and oppreſſors. The tyranny of the Duke of Berry was carried to ſuch an exceſs in his government of Languedoc, that the inhabitants driven to deſpair, and no longer able to endure it, were forced to ſend a deputation with their complaints to the throne. The

perſon intruſted with this dangerous commiſſion, was Jean de Grandſeve of the order of Bernardins. There was no ſpecies of extortion to which the inhabitants had not been expoſed. The towns and country laid under contribution by mercileſs exactors, preſented a frightful picture of ruin and deſolation; taxes and impoſitions of every kind, were renewed to five and even ſix times in a year; the people were hardly allowed time to breathe. Their goods were diſtrained, their perſons dragged to priſon; puniſhment followed the very thought of reſiſtance. More than forty thouſand families obliged to abandon their country, had fled for refuge to Arragon and the neighbouring provinces. So odious an abuſe of unlimited authority, had gone near to have made a deſert of one of the fineſt countries of France. As the unhappy ſufferers were afraid to accuſe the duke himſelf, Betizac his ſecretary and chief inſtrument was attacked. He was a fellow without honour, principle, or feeling; abject to his ſuperiors, inſolent to thoſe below him, but fertile in ruinous expedients, and a good calculator. As his avarice was inſatiable, he had amaſſed an immenſe fortune by the moſt iniquitous methods. In other reſpects he was timid, heavy, ignorant, without parts or talents. Yet, ſuch was his confidence in his maſter's ſupport, and in his ill-acquired wealth, that when aſked by his judges, how he had amaſſed ſuch prodigious treaſures, he had the inſolence to reply, My lords, my maſter, the Duke of Berry, is deſirous that all his ſervants ſhould grow rich.

Not-

Notwithſtanding the plaineſt proof in the courſe of the trial, of the charges brought againſt him, the duke was not aſhamed to ſend a meſſage to the judges, giving a ſanction to his conduct, and avowing that whatever he had done, was by his order and authority. This meſſage a good deal embarraſſed the council; however, not to ſuffer ſuch a villain to eſcape, they ſend a pretended friend to tell him, next morning is deſtined for his execution; and to perſuade him, that if he confeſſed himſelf an heretic, he would be claimed by the eccleſiaſtical juriſdiction, ſent to Avignon, and acquitted by means of the credit of his maſter the Duke of Berry. This ſtratagem had the deſired effect, for when the young king was informed that he profeſſed to believe neither in the trinity, nor the incarnation, nor the immortality of the ſoul, he exclaimed he is a bad man, he is an heretic and thief, our pleaſure is that he be burned and hanged, nor ſhall all the credit of our dear uncle, the Duke of Berry, ever ſerve to ſcreen and ſave him *. Owing to this mean and diſingenuous artifice, inſtead of perhaps a milder puniſhment, he was burned alive. According to the barbarous faſhion of the age, in which princes and magiſtrates not only paſſed ſentence, but ſaw it executed, the king himſelf was a ſpectator of the horrid ſight from the windows of his palace. To give a ſanction to the puniſhment of the guilty, is ſufficient pain to a feeling and ſenſible mind, to behold it in its

* Villaret, vol. xii. p. 49, 50.

moſt

moſt horrid forms from curioſity or complacency, is the part of a ſavage, barbarian, or tyrant, not of a man, a judge, or a king.

Notwithſtanding the bigotted devotion of Lewis XI. though he built churches, endowed monaſteries, travelled in pilgrimage, confided in relics, worſhipped a leaden deity, yet (ſo different a thing is true piety and virtue) he had miſtreſſes, and three baſtards, was the immediate or remote cauſe of his father's miſerable death, yet he murdered by poiſon his wife and his brother, and made the baſeſt returns of ingratitude to the good Duke of Burgundy, who had afforded him a princely ſupport during many years, while on ill terms with his father; yet we are told by the faithful and moral Philip de Comines, that confiding, and encouraged by his mercenary troops and abject courtiers, he put to death no fewer than four thouſand perſons, without any ſhadow of conviction or trial. They were drowned, or ſtabbed, or ſtrangled in priſon. Nay, ſo cool and deliberate was his cruelty, that he even carried into it a degree of ingenuity and refinement, having invented a kind of iron cage, in which he immured the principal perſons of his kingdom, nobles, magiſtrates, generals, depriving them not only of liberty, but even of motion, treating rational beings (it is needleſs to add Chriſtians) like ſavage animals, like beaſts of prey, and of carnage. To deſcend to particulars would be endleſs; however, to ſhew what monſters uncontrolled power can make of us, let us conſider this

prince's

prince's treatment of Jacques d'Armagnac, duc de Nemours, and a deſcendent of the houſe of Clovis. He ordered him to be beheaded*, and by a new refinement in cruelty, his ſons, the eldeſt of which was but twelve years old, to appear on the ſcaffold, bareheaded, their hands tied, and dreſſed in white, that they may be ſprinkled with the blood of their expiring, murdered parent. This unfortunate nobleman was tried by commiſſioners, and therefore probably innocent. His crime is unknown. He was put into an iron cage, underwent the torture there, received ſentence there. After the horrible ſcene alluded to above, his children were conducted, covered with the blood of their father, to the Baſtile, and put in dungeons in the form of huts, where the uneaſy poſture they were ſubjected to, was a continual puniſhment and ſuffering. Not even yet ſatiated, their teeth were pulled out at different intervals. The fortunes of this inhumanely treated family, were ſhared without a bluſh among the very commiſſioners, the prince's judges.

Though the progreſs of letters and of commerce, and the revival of genuine Chriſtianity, with other cauſes, have contributed in a great degree to ſupply the defects of law, and to check and reſtrain this criminal and atrocious abuſe of power in princes and miniſters; yet ſo violent and unfeeling are ſuch characters, and the dread of diſtant and future puniſhment of ſuch feeble

* Eſſais Hiſtor. ſur Paris, vol. i. p. 83.

influence

influence over them, that the annals of more modern times are ſtill polluted and diſgraced with too many inſtances of the perverſion of their power, to the gratification of their malice and vengeance.

To allege any example taken from the tranſports of religious zeal and bigotry, is certainly not applicable to the ſubject of this eſſay. Though the following one may at firſt ſight appear of this nature, yet it will be found, upon a more attentive conſideration, to be more properly of unneceſſary and wanton cruelty, proceeding from pique and diſguſt and unawed authority; for ſurely any apprehenſion of the young man's diſcovering ſo important a ſecret, might have been guarded againſt in other ways than by his murder, and that too by a rival and enemy. Though the fatal day and cataſtrophe of St. Bartholemew, will render abhorred to lateſt poſterity the name and character of Charles the IXth; yet, in other reſpects, when not under the baneful influence of ſuperſtition, and falſe and diabolical notions of religion, he was not a prince of a cruel and ſanguinary nature. Nothing, however, can excuſe or palliate the following inſtance of wanton and unneceſſary barbarity. Lignerolles was a young man of faſhion, much eſteemed in the court of that prince. His fine parts, and high ſpirit, had recommended him in a particular manner to the Duke of Anjou. As they were one day converſing together in an unreſerved manner (as they frequently did on the preſent

preſent ſtate of affairs) the Duke, in order to learn Lignerolles' ſentiments in a matter of ſo great importance, diſcovered (for he had the moſt entire confidence in him) the king's reſolution with regard to the horrid maſſacre that followed. Some days afterwards, Lignerolles happening to be in the preſence, when the king (agreeably to his wonted diſſimulation) having diſmiſſed ſome of the Huguenot Lords with great marks of confidence and eſteem, and then ſeemed highly diſpleaſed at their unreaſonable demands; the indiſcreet young ſtateſman, either from want of retention, or agreeable to the natural vanity of youth (proud of being made privy to a ſecret of ſuch moment) came forward and whiſpered in the king's ear, that his Majeſty might bear patiently, and even laugh at their inſolence and preſumption, ſince in a few days they would be driven into the net, and then he would have them at diſcretion. The king was highly provoked, but pretending not to underſtand him, retired. When immediately ſending for the Count de Retz, Lignerolles' intimate friend, and to whom he ſuſpected he had betrayed his ſecret, he ſeverely reproached him with the favours he had ſo ill deſerved; and threatened to make him feel all the weight of his reſentment for his treachery and perfidiouſneſs. The Count proteſting his innocence, the Queen was then called, and at laſt the Duke of Anjou, who acknowledged his indiſcretion; but ſaid he was confident the affair would never be mentioned by his friend Lig-

nerolles. That it ſhall not, replied the king, for he ſhall no longer live to have the opportunity *. Upon which his Majeſty, pretending to take the diverſion of hunting (which he often did at all hours), and Lignerolles following agreeably to the cuſtom of the Court, the imprudent young man was inveigled aſide from the company under ſome pretence or other, and then barbarouſly murdered by a rival and enemy, purpoſely choſen to imbitter his fate. Conſidering the deluge of blood that followed, perhaps this prelude to it may not appear ſo ſurpriſing; but a limited prince, under the reſtraint of law and account, however bigotted or imbruted by ſuperſtition, would never have dared ſo malicious, wanton, and unneceſſary an aſſaſſination.

There is no expedient (even that of taking advantage of the weakneſs and credulity of mankind), which princes and miniſters will not make uſe of in order to gratify their odious and inhuman paſſions and reſentments. In the reign of Lewis XIII., weak and indolent, and a king only in name; his miniſter Richlieu, whom yet he both feared and hated, and whoſe memory and adminiſtration (notwithſtanding the invincible prejudices of certain writers) will ever be deteſted by all good Frenchmen, ordered one Grandier to be brought to a trial upon a moſt ridiculous accuſation, and in our days almoſt incredible. This perſon was curé and canon of Loudon, of a fine figure, and an eloquent preacher. The monks,

* Davila, lib. v. p. 280.

who

who envied and hated him, accuſed him of carrying on an amorous intercourſe with ſeveral of the nuns of the place. They even perſuaded or corrupted not a few of theſe unhappy and ignorant victims, to charge him with having gained a criminal aſcendancy over them by magic and enchantment. In order to enſure the ſucceſs of their malevolent deſigns againſt the unfortunate Grandier, they endeavour to intereſt the cardinal in his condemnation, by repreſenting him as the author of a ſevere ſatire or libel on his perſon and family. Richlieu, who had not generoſity or greatneſs of mind to ſlight or pardon the leaſt reflection to his own diſparagement, readily gave credit to the calumny; and though he certainly believed neither in ſorcery nor witchcraft, with a view to prevent even a poſſibility of acquittal, ordered Grandier to be tried by commiſſioners, carefully ſelected upon account of their ignorance and credulity. The conſequences were natural, and what might have been expected: unanimouſly, without remorſe or pity, they condemn the forlorn victim, firſt to the ignominy of the amende honorable, and then to the cruel death of being burned alive.

To throw further light on the abuſe of uncontrolled power in this fine country, and on the deſpicable ſituation to which the inhabitants, and eſpecially the better ſort, have reduced themſelves by their unmanly and criminal inſenſibility and abject ſubmiſſion, I ſhall only quote a paſſage from Renneville's hiſtory of the Baſtile, that

ſojourn

ſojourn of ſolitude, of unpitied tears, of hopeleſs miſery. He enumerates various grievous indignities and ſeverities to which even people of quality and condition are expoſed, who are immured either in that, or in other places of ſtate-confinement in France. Among the reſt he mentions locking the feet in a diabolical ring, by a thick heavy chain, and a great globe of iron of an enormous weight. To ſhew the want of feeling, and of a ſenſe of perſonal dignity in that thoughtleſs people, they can ludicrouſly call theſe rings, &c. the King's nets. Renneville adds, I have ſeen many eminent perſons in theſe priſons and dungeons, dreary, melancholy and unwholeſome, with theſe chains about their legs; degraded and inſulted in this manner, not upon account of the violation of the laws, but for the moſt trivial offences againſt the Court.

When one conſiders the character of Philip II. of Spain; his diabolical bigotry or diſſimulation; his previous ſecret marriage with Donna Iſabella Oſſorio, when he publicly married his firſt wife Mary of Portugal; his murder of his own ſon, and of his own wife; the former by aſſaſſination, the latter by poiſon; his forcing the prince of Aſcoli to marry a lady great with child by the king himſelf; his oppreſſion of his own ſubjects, of Spain and Italy; his cruelties in the Low Countries; his attempts againſt all his neighbours; the ruin and deſolation he ſpread over the continent and iſlands of unhappy America; the

cruel

cruel and bloody diſturbances he fomented and aggravated in Europe (all which prove him to have been a very wicked but a very injudicious prince, and the moſt diſtant from being the ſtateſman his admirers pretend); to inſiſt on the following inſtance of his diſregard of even the appearances of juſtice, is falling into a kind of bathos in the hiſtory of the abuſes of power; it is almoſt like cenſuring breach of promiſe in a villain who had been guilty of robbery, and rapine, and murder; however, as it is characteriſtic of the licence of authority, I ſhall juſt mention it. A Spaniſh nobleman had incurred this prince's diſpleaſure by ſome piece of negligence, or ſeeming want of reſpect. Attentive ſolely to the ſuggeſtions of paſſion and reſentment, without deigning reproof, contemning all forms of law, accuſation, trial, witneſs, ſentence, he immediately orders him to be publicly aſſaſſinated in the ſtreets of Madrid. What is almoſt as ſhocking and extraordinary, his own confeſſor had the audacity to defend and palliate the action [E].

Notwithſtanding the excellence of our own government, yet during periods of a ſort of anarchy and the fluctuation of the conſtitution, we are ſhocked with ſeveral inſtances of oppreſſion, malice, cruelty, and barbarity in our princes and magiſtrates. As many of theſe are taken notice of by our numerous writers of hiſtory, but particularly by Mr. Hume, whoſe work is in every one's hands, it may be the leſs neceſſary to

inſiſt on them; however, for the ſake of uniformity, and as a ſpecimen of the others, I ſhall give two or three inſtances.

The beginning of a new reign is ſometimes favourable to juſtice and humanity. The motive is often caprice, or diſlike of whatever was done during the former adminiſtration; it may alſo be owing to the mind not being yet corrupted and hardened by the long poſſeſſion of power; the latter reaſon is by no means an improbable one, as the progreſs and concluſion of ſuch reigns do not often correſpond with their commencement. The fact and reign we are going to allude to, is no inconſiderable proof of the truth of the obſervation.

We learn from Roger Hoveden, that among the perſons ſet at liberty upon Richard I.'s acceſſion to the throne, thoſe were no inconſiderable number who had been apprehended, and detained in priſon at the ſuit of the king or that of his juſtice, and who were not confined agreeably to a legal proceeding in the county or hundred, or by appeal. The ſame kind of oppreſſion and tyranny was practiſed by the miniſters of king John; and ſo contagious is this ſpirit, that in the reign of the firſt Edward, the barons were very deſirous of having the ſame power of impriſoning perſons at their pleaſures, for treſpaſſes committed in their parks and ponds; but Edward did not chuſe aſſociates with him in this royal licence, and rejected their petition. The ridiculous

diculous ſeverity of our modern game-laws [F], is a ſpecies of the ſame kind of tyranny and oppreſſion; and another proof of the propenſity of mankind, to encroach on the plaineſt and commoneſt rights, and to pervert the advantages of their ſituation, to the irritating inconvenience and even ſufferings of their neighbours and fellow-citizens, notwithſtanding all the checks and reſtraints of civility and letters, morality and goſpel.

In the 10th year of the ſame prince, the archbiſhop of Canterbury thus complains and expoſtulates in parliament: "Among other heavy grievances, how many freemen of the realm have been thrown into diverſe priſons by the king's miniſters there, to be immured and excluded from all the rights of men and citizens, as if they had been ſo many ſlaves. Of theſe, how many in thoſe ſojourns of diſeaſe, of miſery, and of oblivion, have died of hunger, of grief; and ſeveral even of the very weight of their chains? From others of better condition, exorbitant ſums of money have been extorted for their ranſom as it were, and recovery of their liberty, to the infinite detriment, and often the ruin of themſelves, their wives and children."

That odious and contemptible prince, King John; that perjured ſovereign; that betrayer of the honour and independence of his country; that voluntary vaſſal of an arrogant pontiff, the progreſs of whoſe uſurpation is a reproach and

diſgrace to the common ſenſe of mankind; that wretch, who to recover what the Engliſh nation thought him unworthy of, would have apoſtatiſed to the ſuperſtition of Mahomet, and become the tributary of an infidel and a barbarian; among other inſtances of his violence and cruelty, cauſed Geoffry, Archdeacon of Norwich, to be dragged to priſon and thrown into chains; and not yet ſatiated, a few days afterwards a leaden ape to be laid upon him, with whoſe preſſure, and for want of ſuſtenance, he ſoon expired in the agonies of hunger and torment. Even perſons entruſted with a delegated authority, and unhallowed by a crown, can imbibe the ſame principles and maxims, and act accordingly, when not deterred by the fear of future conſequences. Thus, during the minority of Richard II., an Iriſh monk having accuſed the Duke of Lancaſter of dangerous and treaſonable deſigns, was firſt committed to priſon, and then with a view to ſtifle his evidence, barbarouſly murdered by the Duke's order. In this reign alſo the Duke of Glouceſter was ſtabbed in priſon at Calais. His nephew, King Richard, not daring to bring him to a public trial, had thrown him into that place of confinement, where he was privately murdered by his Majeſty's order, notwithſtanding a parliamentary ſanction and pardon of the proceedings of his adminiſtration. The king's cruel violence againſt his uncle, was owing to that virtuous nobleman's diſapprobation of the prodigality and tyranny of his nephew's

phew's conduct, and the pernicious licence and influence of his favourites and minions; yet the Duke of Glouceſter was a friend to his country, generous, eloquent, and brave.

Various cauſes concurred, the oceans of blood of the nobility, gentry, commonality, poured out not generouſly in defence of a conſtitution, but abſurdly in the cauſe of rival pretenders to a throne, none of whom were worthy of wearing it (one of the admirable advantages of regal government); the united titles of the roſes in Henry VII. by marriage; the ſucceſs of that prince againſt his foreign and domeſtic enemies, and that temporary relaxation of ſpirit, in maintenance both of national rights and privileges, and the proſecution of enterpriſe whether commercial or military; to which, during certain periods of their hiſtory, all countries are ſubject; all theſe reaſons and circumſtances, with many others in this and the following reigns, conſpired to encourage the princes of the houſe of Tudor, to exerciſe a kind of deſpotic authority in England, unknown to our conſtitution, and to the maxims of our anceſtors and of former ſovereigns, during times of order and regular government. The firſt prince of that houſe is as well entitled to our abhorrence on theſe accounts, as moſt of his ſucceſſors. We all read with ſatisfaction the deſerved, though illegal fate of Empſom and Dudley, thoſe proſtitute tools of his exactions and oppreſſions. Notwithſtanding the ſu-

perior birth and education of the latter, they were equally the vile inſtruments of his avarice and tyranny. At firſt they paid ſome regard to appearances, but the abject ſubmiſſion of the nation ſoon gave them confidence to diſdain even the palliations of decency. They no longer proceed by what is called indictment. Perſons of rank and conſideration are thrown into priſon, and for ever precluded the right of ſelf-defence and of trial. The only means of recovering their liberty, is by the payment of heavy fines or ranſoms, which are ſoftened with the names of mitigations and compoſitions. By degrees the very forms of law are ſlighted. They ſummon and examine in their own houſes, and paſs ſentence, without regard to either witneſs or juries. When they deign to require the aſſiſtance of that bulwark of Engliſh independence; if thoſe who formed it, preſumed to determine contrary to the inclination and views of theſe inquiſitors, they were inſulted, abuſed, nay fined, impriſoned, puniſhed. The exceſſive powers of the feudal law which then prevailed, were ſtrained to the higheſt pitch. Heirs of family, the king's wards, could not enter into poſſeſſion of their eſtates, but at the penalty of exorbitant fines. The penal ſtatutes were extended and abuſed to all the purpoſes of avarice and inhumanity. To treat this ſubject properly, in reference to our own hiſtory, would require a diſtinct treatiſe.

But it is time to turn our eyes from a picture ſo ſhocking, ſo diſhonourable to our ſpecies. I truſt,

truſt, however, that though drawn by ſo unſkilful an hand, the colours will laſt, and the draught be of ſervice, at leaſt to my countrymen and fellow-citizens. For conſidering the progreſs of arbitrary power in the nations around us; the increaſe of taxes, of armies, both civil and military; the defenceleſs ſtate of the unarmed; our frequent intercourſe with foreign and deſpotic courts, both by negociation and travel, particularly that of France; our equally injudicious and corrupt admiration of their politics and manners; our own effeminacy, ſelfiſhneſs, and diſregard of public good; and let me add, a moſt alarming ſymptom (notwithſtanding the ſneers of certain perſons), the ridicule and contempt into which the moſt noble of characters, that of a patriot or lover of his country, has lately fallen, through the artifices of ſome and hypocriſy of others; I ſay, conſidering all theſe multiplied reaſons and circumſtances, it is certainly, and in a very high degree, the duty of all perſons of liberal ſentiment and of political reflection, and whoſe experience is not confined to the narrow obſervation of their own times, to call forth all their attention; to look forward, and to anticipate what may be the probable condition of their children and deſcendants in no very diſtant period. The very ſcenes, the very exceſſes and enormities we have been deſcribing, may be again repeated, and even with aggravation.

The legiſlature, the fountain of juſtice and equity (the calamity is not without precedent), may be corrupted in its very ſource; may be perverted into a tool of oppreſſion and tenfold tyranny, and the reſtraints of law and controul, being ſapped or thrown down, the princes of Europe [G] may be inflamed into fiends and demons, their ſubjects degraded into the vileſt ſlaves and beaſts of burthen. In vain is it proteſted by every prince, by every miniſter, that nothing is ſo diſtant from their views as oppreſſion and tyranny; that they abhor and deteſt ſuch maxims and proceedings, and what appearance ſoever a meaſure may have of innovation, or oppoſition to the ſpirit and genius of our conſtitution; be it the ſuſpenſion of our palladium, or foreign troops and mercenaries, or oppreſſive taxes, yet their only purpoſe in the meaſure is the ſecurity, ſupport, and reputation of the empire. Notwithſtanding all hiſtory, and I truſt this eſſay too, plainly proves the contrary, calls aloud not to believe or truſt them, and declares in every page, that whenever princes or miniſters meet not with obſtacles to their views and deſigns, however ſelfiſh or ruinous, and though aimed at the very corner-ſtones and pillars of the conſtitution, they will endeavour to attempt, if not reſolutely oppoſed, to undermine, or openly to overturn them [H]; and that unreſtrained power is not to be truſted in mortal hands, but will ever be abuſed to the ruin and miſery

miſery of thoſe who are ſubject to it; and in the end, ſpite of their injudicious pride and ignorance, to that of the poſſeſſors. In a few words, to all theſe ignorant or inſidious proteſtations of princes and miniſters, the experience of all ages authoriſes and commands us to reply in the ſtrong and emphatical language of Cicero, "Non faciemus, inquit, primum neſcio: deinde timeo: poſtremo non committam ut veſtro beneficio potius quam noſtro conſilio ſalvi eſſe poſſimus [1].

NOTES.

NOTE [A], p. 15.

MADAM de Sevigné writes to her daughter, 4th of September 1675, That when upon the death of M. de Turenne, the Chevalier de Coiſlin ſaid or intimated he could ſerve no longer after having loſt that great man; that he was in an ill ſtate of health; that ſolely to ſee him, and to be with him, he had acted in the laſt campaign; but that having him now no longer, he would go to Bourbon, Lewis XIV. was ſo much offended, that he immediately gave away his regiment, and threatened, that were it not upon account of his brothers, he would have ſent him to the Baſtile. Were not his admiration, and grief, and dejection excuſable! Had he conſpired againſt the king, could he have reſented it in a much higher tone of ſeverity? What folly! what mean-ſpiritedneſs in a nation, in gentlemen, to ſuffer any individual, any prince to arrogate ſuch pernicious licence!

NOTE [B], p. 16.

THOUGH Lyſimachus had the good fortune to eſcape out of the jaws of the lion; yet afterwards, when he was raiſed to a throne, the hazard he had run, and the inſult he had ſuffered, did not teach him more humanity and ſelf-command. The account given us by

Seneca

Seneca and Plutarch of his treatment of his friend Teleſphorus the Rhodian ſhew, that he far excceded his maſter in the ſavage violence of his nature. He endeavoured by the moſt barbarous mutilations, to deprive him even of our human figure. He cut off his noſe and ears, fed him in a pit like a wild beaſt, conſtrained him to ſuffocate and putrify in his natural diſcharges, and by the narrowneſs of the place, to go on all fours, on his hands and knees; hence he was ſuch a ſpectacle as was equally beaſtly and horrible; yet as the philoſopher with great juſtice remarks, when he who ſuffered ſuch things was leaſt like a man, he was more like one than he who inflicted them. Seneca de Ira, & Plutarch de Exilio.

The reaſon of this brutal action of Alexander's, was Lyſimachus's compaſſion for the cruel fate of Calliſthenes, the philoſopher, a perſon of great virtue and merit, and whom Alexander had moſt unjuſtly condemned to die, by torture. Lyſimachus liſtened with a melancholy pleaſure to his laſt inſtructions, which were all of a moral nature (the ſerenity of his ſoul allowed him to give them even in that extremity), and then, in order to put a period to his agonies, humanely and generouſly gave him poiſon. It ſeems the intoxication of power very ſpeedily effaced their impreſſion.

Note [C], p. 22.

THE faithful experience of hiſtory ſuggeſted the ſame obſervation to Machiavel, "E di tutte le ſervitu dure, quella é duriſſima che ti ſottimette ad una Republica.—Perché il fine della Republica é enervare e indebolire (per accreſcere il corpo ſuo), tutti gli altri corpi, &c. Diſcorſi, lib. ii. cap. ii.

NOTE [D], p. 25.

COME era il Populo Romano, il quale mentre duro la Republica incorrotta, non ſervi mai umilmente, nè mai domino ſuperbamente, anzi con li ſuoi ordini e magiſtrati tenne il grado ſuo onorevomente. Machiavelli diſcorſi, lib. i. c. lviii.

The true method of acquiring and maintaining dominion and territory in general, is admirably ſhewn by the ſame great man, and illuſtrated in the example of the Romans. Vid. Diſcorſi, lib. i. cap. xxxiii. and lib. ii. cap. xxi. Indeed it is ſo obvious to good ſenſe, true policy and humanity, that it alſo occurs where one would leaſt have expected it, even in Pantagruel, liv. ii. cap. i. Noterez donc ici bouveurs, que la manière d'entretenir & retenir pays, nouvellement conqueſtez, n'eſt (comme a eſté l'opinion erronée de certains eſprits tyranniques a leur dam & deſhonneur), les peuples pillant, forcant, angariant, ruinant, mal vexant & regiſſant avec verges de fer," &c. p. 35, 36, 37, 38. vol. iv. Rablais edit. 1752.

It is pity that certain characters who at preſent talk ſo much of reputation, dignity, &c. would not read and profit by the following obſervations: " Le droit de " la guerre dérive donc de la neceſſité & du juſte ri- " gide. Si ceux qui dirigent la conſcience, ou les con- " ſeils de princes, ne ſe tiennent pas la, tout eſt per- " du; &, lorſqu'on ſe fondera ſur des principes ar- " bitraires de gloire, de bienſéance, d'utilité, de flots " de ſang inonderont la terre.

" Que l'on ne parle pas ſur tout de la gloire du " prince. Sa gloire ſeroit ſon orgueil; c'eſt une paſ- " ſion, & non pas un droit légitime.

" Il eſt vrai que la reputation de ſa puiſſance pour-
" roit augmenter les forces de ſon état; mais la repu-
" tation de ſa juſtice les augmenteroit tout de meme."
L'Eſprit des Loix, liv. x. cap. ii.

NOTE [E], p. 65.

IT may be worth while to obſerve that when Antonio Perez, ſecretary of ſtate and favourite to this prince, was put to the moſt cruel torture, Father Latinos, a Franciſcan preacher, in a ſermon in the king's chapel, thus addreſſes himſelf to the courtiers: " Mor-
" tals, what is it you are all mad and gaping about with
" open mouths? What, do you not ſee the danger you
" live in? Do you not ſee it? Do you not ſee thoſe
" who were the other day on the pinacle of favour, to-
" day on the rack, and perſecuted cruelly for many
" years, and nobody knows for what?"

NOTE [F], p. 67.

TALKING of the injuſtice and inhumanity of the Game Laws, puts me in mind of a remarkable paſſage in the French hiſtory. It is related of Enguerand de Coucy, ſon to that famous Enguerand, who had aſpired to the crown of France in the early part of the reign of St. Lewis. This young nobleman, ſucceeding to all the fortunes of his father, by the death of his elder brother at the famous battle of Maſſouſe, was of a very violent and overbearing diſpoſition. It happened three young Flemiſh gentlemen, ſent by their parents to the abbey of St. Nicholas des Bois, to learn the French language, one day took a walk from the monaſtery, and amuſed themſelves with ſhooting at rabbits with their arrows. The purſuit of their ſport carried them even to the woods of Coucy, where they were ſtopt and ſeized by the Count's game-keepers, and brought

brought before him. He orders them to be hanged immediately, without a hearing, and without giving them time to prepare themſelves for a death which they did not imagine they had deſerved. See the noble conduct of St. Lewis on this occaſion. Velly, vol. v. p. 162.

NOTE [G], p. 72.

IS not the poſſibility of ſuch a revolution ſuppoſed in the following paſſage? "La plupart des peuples "d'Europe ſont *encore* gouvernez par les mœurs. Mais, "ſi, par un long abus du pouvoir, ſi, par *une grande* "*conquête*, le deſpotiſme s'établiſſoit à un certain point, "il n'y auroit pas des mœurs ni de climat qui tinſſent, "& dans cette belle partie du monde, la nature hu- "maine ſouffriroit, au moins par un temps, les inſultes "qu'on lui fait dans les trois autres." L'Eſprit des Loix, lib. vii. cap. 8.

NOTE [H], p. 72.

EVEN Hobbes could ſay, "Of all paſſions, that which inclineth men leaſt to break the laws, is "fear. Nay, excepting ſome generous natures, it is "the only thing (when there is appearance of profit or "pleaſure by breaking the laws), that makes men keep "them." Works, p. 229. edit. folio, 1750.

NOTE [I], p. 73.

DURING the criſis of the memorable ſeceſſion at Rome, Brutus very juſtly repreſented to the people, "That the only ſecurity to thoſe who were "afraid of their ſuperiors, was for the former to be "convinced, that, if the authors had the will to injure "them, they ſhould not have the power; for as long "as ill men had the power, they would never want the "will." Dionyſius Hal. lib. vi. cap. lxxxvii.

The

The principle of this treatiſe might be further illuſtrated by the hiſtory of all nations, or bodies of men poſſeſſed of unreſtrained power; particularly by that of the nations of Europe during the feudal times, and in the exceſſes, enormities, and crimes of the Spaniards, the Portugueſe, the Dutch in South America; and lately, and even in our own times, of the Engliſh in India, &c. It is needleſs to mention the cruelties of the different ſects of religion againſt one another, the exorbitances of the Star-Chamber and High Commiſſion, of the uſurpation under the Parliament and under Cromwell; the ſame violence and cruelty pollute and vilify our ſpecies, and prove that law and terror are as neceſſary reſtraints on princes, nations and bodies of men, as locks, bars and irons on the felons of Newgate. Let us alſo add the ſanction of M. de Monteſquieu,—"Mais c'eſt une experience eternelle, que tout homme "qui a du pouvoir eſt porté à en abuſer; il va juſqu' "à ce qu'il trouve des limites. Qui le diroit! la vertu "même a beſoin des limites." L'Eſprit des Loix, liv. ii. cap. iv.

FINIS.

BRITISH LIBRARY
75
MAY